

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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WILLIAM J. WAGNER,

Plaintiff,

v.

Civil Action No.1:15-cv-633-FPG

CHIARI & ILECKI, LLP,

Defendant.

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**AFFIRMATION OF SETH J. ANDREWS**

Seth J. Andrews, an attorney at law, affirms under penalties of perjury that the following statements are true and correct:

1. That I am an attorney of record for the Plaintiff.
2. On June 29, 2015, I engaged in two telephone conversations with Melissa Overbeck.
3. It is come to my attention that Ms. Overbeck has alleged that I told her that I would attempt to convince my client, William J. Wagner, to provide the Defendant with a copy of his driver's license to confirm his identity.
4. This is untrue. Specifically, I never told Ms. Overbeck that I would attempt to convince my client to provide them with his driver's license.
5. I also never said or meant to imply that I believed the Defendant's procedure to require the Plaintiff to provide proof of his identity was reasonable.

Dated: April 10, 2017  
Amherst, New York

/s/Seth J. Andrews  
Seth J. Andrews